



THE LIBERTARIAN PARTY

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Supreme Court ruling on asset forfeiture means “cops have become the robbers,” say Libertarians

WASHINGTON, DC -- Private property? Thanks to the Supreme Court, it's an “endangered species” in America, warned the Libertarian Party today.

“The Supreme Court’s ruling this week on property forfeiture means the government can seize your property whenever it wants, even if you’re innocent of any crime,” said Steve Dasbach, Chairman of America’s third largest political party.

“Cops have become the robbers with a license to steal, under this new ruling,” he said.

The Supreme Court ruled on Monday that the government can seize property used to commit a crime, even if the owner was innocent of any wrongdoing.

The case involved a Michigan woman whose family car was confiscated when her husband used it for sex with a prostitute. The Court rejected her argument that as an “innocent owner” she was entitled to compensation for her half-interest in the automobile.

Dasbach said Libertarians view all property forfeiture laws as unjust -- “but this new ruling is an outrage, and a blatant violation of the Bill of Rights,” he charged.

“This ruling obliterates the protections of the Fifth Amendment, which states that private property shall not ‘be taken without just compensation,’ and demolishes the 14th Amendment, which adds ‘neither shall any State deprive any person of life, liberty, or property without due process of law,’ ” he said.

“This Supreme Court ruling shows why we need to elect Libertarians to high office -- before it’s too late. Only Libertarians are committed to protecting the private property rights of all Americans,” said Dasbach.

On the subject of property forfeiture, the Libertarian Party Platform states: “We condemn the wholesale confiscation of property prior to conviction by the state that all too often accompanies police raids, searches, and prosecutions for victimless crimes.”

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Facts About Property Forfeiture In America

- **Number of Americans whose property has been seized** under property forfeiture laws by federal, state, or local government since 1985: **200,000+**
- **Number of different statutes** under which federal agents can seize property: **200+**
- **Dollar value of private property seized** by state and federal law enforcement agents under "civil forfeiture" laws: **\$4.1 billion**
- **Dollar value of private property stolen by criminals** in 1992: **\$3.8 billion.**
- **Percentage of asset forfeiture cases where the property owner is never charged with a crime** -- yet the government can and usually does keep the property: **80%**
- **Percentage increase, from 1985 to 1991, of the number of federal seizures of property:** **1,500%**
- **The race of individuals whose property is seized** in airports and on highways, because they fit the police profile of a drug courier: **75% - 90% Black or Hispanic**

How "Forfeiture Fever" is spreading:

- In New York, legislators have considered a law to allow local officials to confiscate "cars, boats, and planes" used in connection with any *misdemeanor*.
- In Georgia, FBI agents seized three Mercedes-Benzes from a businesswoman after alleging that her husband placed illegal bets on sporting events from the car phones.
- In Texas and Florida, property forfeiture now applies to *any* criminal activity.
- In New Jersey, it applies to any *alleged* criminal activity.
- In Massachusetts, the state can seize the assets of corporations that violate environmental laws.
- The Immigration & Naturalization Service has seized over 30,000 cars and trucks since 1990 from people helping illegal immigrants enter the U.S.
- In New Jersey, officials confiscated home office equipment from a man charged with practicing psychiatry without a license.
- In Washington, DC, police routinely stop pedestrians and confiscate small amounts of cash and jewelry, even when no drugs are found and no charges filed.

Examples and statistics taken from:

Lost Rights (1994) by James Bovard, St. Martin's Press

Forfeiting Our Property Rights (1995) by Rep. Henry Hyde, Cato Institute